

REMARKS

The courtesy extended by Examiner Hamilton to applicant's attorney, Robert Mukai, during the telephonic discussion on May 13, 2005, is greatly appreciated. During the discussion, proposed amendments to the claims were presented and it was explained why the amendments rendered moot the prior art and double patenting rejections set forth in the Official Action dated February 23, 2005. As to the rejection based on 35 U.S.C. §112, it was explained that the development process did not change the contact angle of the anodic oxidation coating. The Examiner stated that she understood this position, but maintained that a Declaration by the inventor or another technical person would be in order so as to confirm that the contact angle before and after development was the same. If such a Declaration was presented, the Examiner indicated that she would accept the language that was currently present in claim 2.

By the present response, the proposed amendments discussed with the Examiner have been formally presented. In particular, the subject matter of claim 6 has been incorporated into claim 2 and claims 6-9 have been canceled without prejudice or disclaimer with the dependency of claims 10-21 being revised in view of the canceled claims. It will be noted that claim 6 was neither rejected under 35 U.S.C. §103(a) nor the subject of the provisional double patenting rejections in the Official Action thereby rendering moot each of the stated rejections. Since claim 1 has been allowed, the only remaining issue is the rejection under 35 U.S.C. §112 set forth on pages 5-7 of the Action. As noted above, during the telephonic discussion, the Examiner maintained that if a Declaration was presented confirming

that the contact angle did not change by development then the language of claim 2 would be acceptable. Based on this discussion, a Declaration Under 37 C.F.R. §1.132 by the inventor confirming this understanding of the contact angle of the anodic oxidation coating is provided herewith.¹

Since all matters raised in the Official Action have been fully met by the instant response, applicant respectfully requests reconsideration and allowance of the present application.

Should the Examiner wish to discuss any aspect of the present application, she is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 

Robert G. Mukai
Registration No. 28,531

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

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¹ The determination of contact angle is discussed in the last paragraph on page 47 of the specification.